

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

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In the Matter of )  
Implementation of Section 621(a)(1) of )  
the Cable Communications Policy Act of 1984 )  
as amended by the Cable Television Consumer )  
Protection and Competition Act of 1992 )

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MB Docket No. 05-311

**COMMENTS OF *CITY OF LAKEWOOD, CALIFORNIA***

These comments are filed by the *City of Lakewood* in support of the comments filed by the National League of Cities (NLC) and the National Association of Telecommunications Officers and Advisors ("NATOA"). Like the NLC and NATOA, the *City of Lakewood (Lakewood)* believes that local governments will issue an appropriate local franchise for new entrants into the video services field on a timely basis, just as they have for established cable services providers. In support of this belief, we wish to inform the Commission about the facts of cable franchising in our community.

**Cable Franchising in Our Community**

**Community Information**

*Lakewood* has a population of 85,000. We have approximately 26,000 households and 12,000 cable subscribers. Our franchised cable provider is Comcast Cable Company (soon to transfer to Time Warner based on City Council approval of transfer request on November 8, 2005). *Lakewood* negotiated its first cable franchise in 1982 and renewed it in 1998. Our system has been transferred six times, with the seventh pending to Time Warner as the two companies consolidate their holdings – Comcast in northern California and Time Warner in southern California.

**Competitive Cable Systems**

A competitive provider has never approached our community to provide cable service. With the history of cable competition including an ever-decreasing number of cable companies and an ever-increasing number of mergers and trades, it appears that the federal government long ago accepted satellite video services as adequate competition to cable service. Competition in the ground by cable companies has been extremely limited nationwide. Verizon met with *Lakewood* to begin the upgrade of the Company's fiber network in 2006, but says they are not yet ready to discuss video services and they have not applied for a cable franchise with the city. *Lakewood* encourages fair, competitively neutral competition for the provision of cable or video services. The city is ready, willing and able to expedite any competitive application for a franchise.

**Conclusions**

The local cable franchising process functions well in Lakewood. As the above information indicates, we are very experienced at working with cable providers to see that the needs of the

local community are met and to ensure that the practical business needs of cable providers are taken into account.

Local cable franchising ensures that cable operators are allowed access to the city's rights of way in a fair and evenhanded manner, that other users of the rights of way are not unduly inconvenienced and that uses of the rights of way, including maintenance and upgrade of facilities, are undertaken in a manner that is in accordance with local requirements. Local cable franchising also ensures that our community's specific needs are met and that local customers are protected.

Local franchises provide a means for local government to appropriately oversee the operations of cable service providers in the public interest and to ensure compliance with applicable laws. It would be a disservice to cable customers to create a new Federal bureaucracy in Washington to handle matters of specifically local interest. It is impossible to imagine such an agency will work directly with the cable company as we do to handle complaints on a wide range of issues (which over the years has ranged from rudeness and unanswered phones to signal quality problems to billing problems and much, much more).

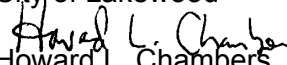
Finally, local franchises allow each community, including ours, to have a voice as to how cable systems will be implemented and what features (such as Public, Educational and Government (PEG) access, institutional networks or local emergency alerts, etc.) will be available to meet local needs. These factors are as valid for new entrants as for existing users. PEG channels that are currently programmed for community and educational uses are:

- One Public Access Channel
- Channel 31 – City of Lakewood Municipal Access Channel
- Four Educational Access Channels – Cerritos College, Long Beach City College, Cal State University, Long Beach, Lakewood Public Schools

In the end, without the local franchise process, oversight of this public benefit would decline and both local governments and their residents would suffer. The degradation of the public rights of way would affect all residents, and cable customers would lose us as their champion to sort through the myriad of service problems that result from their relationship with cable (or future video service) providers.

*Lakewood*, therefore, respectfully requests that the Commission do nothing to interfere with local government authority over franchising or to otherwise impair the operation of the local franchising process as set forth under existing Federal law with regard to either existing cable service providers or new entrants.

Respectfully submitted,

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